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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

INDIGENOUS ENVIRONMENTAL
NETWORK and NORTH COAST
RIVER ALLIANCE,

and

NORTHERN PLAINS RESOURCE
COUNCIL, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF STATE, et al.,

Defendants,

TRANSCANADA KEYSTONE
PIPELINE and TRANSCANADA
CORPORATION,

Defendant-Intervenors.

CV 17-29-GF-BMM

CV 17-31-GF-BMM

**Joint Motion Regarding Word
Limits, Separate Statements of
Facts, and Joint Appendix**

All parties in these consolidated actions respectfully request an order expanding the word limits for the motions for summary judgment and allowing the parties to file a joint appendix rather than separate statements of facts.

Word Limits

Local Rule 7.1(d)(2) limits opening and response briefs in support of motions to 6,500 words and reply briefs to 3,250 words. Given the number of claims, and the complexity and importance of this case, the parties believe an expansion of the word limits is warranted for the motions for summary judgment. Accordingly, the parties respectfully request that the Court order the following limits, which are based on the word limits used in the Ninth Circuit:

- IEN Plaintiffs' and Northern Plains Plaintiffs' motions for summary judgment: 14,000 words each
- Federal Government's and TransCanada's oppositions/cross-motions: 14,000 words each
- IEN Plaintiffs' and Northern Plains Plaintiffs' oppositions/replies: 14,000 words each
- Federal Government's and TransCanada's replies: 7,000 words each

Separate Statements of Facts and Joint Appendix

Local Rule 56.1 requires separate statements of disputed and undisputed facts. The vast majority of the citations in this case will be to the administrative

record and expert reports. Accordingly, the parties respectfully request that the Court relieve them of the requirement to file separate statements of facts. In lieu of the statements of facts, the parties will file a joint appendix of all citations to the administrative record and any additional pages necessary for context. The parties will file the joint appendix within three business days of the last summary judgment reply brief.

Respectfully submitted,

Dated: January 12, 2018

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CERTIFICATE OF SERVICE

I certify that I served the foregoing brief on all counsel of record via the Court's CM/ECF system.

/s/ Jaclyn H. Prange